



NASA OFFICE OF INSPECTOR GENERAL

SUITE 8U71, 300 E ST SW
WASHINGTON, D.C. 20546-0001

October 21, 2019

Mr. Sai

sai@fiatfiendum.org

SUBJECT: Freedom of Information Act (FOIA) / Privacy Act (PA) request dated September 20, 2019, NASA OIG No 2019-55; 20-OIG-FP-00001

Dear Mr. Sai:

This initial determination responds to subject FOIA / PA request. You have requested:

"A. OIG / CCIG / CIGIE emails re Sai requests, conference calls, & requesters personally...

1. All emails to or from any OIG, CCIG, or CIGIE email that:
 - a. have any of the subjects listed in the background section above, or variations / approximations thereof; or
 - b. contain the terms (in any part of the email, and including substrings):
 - i. "Sai" (except false positive substrings, like in the word "said")
 - ii. "s.ai"
 - iii. "saizai.com"
 - iv. "plus.google.com"
 - v. "RT America"
 - vi. "Right This Minute"
 - vii. "personal"
 - viii. "blog"
2. All emails to or from any OIG, CCIG, or CIGIE email that:
 - a. are a reply, forward, CC, or BCC of any responsive email; or
 - b. are described or referenced in any of responsive email, including in particular but not limited to:
 - i. "a copy of his request and websites related to the requester were circulated", Oct 7, 2015 email to Lisa Goldfluss
 - ii. "the question of whether the request covered investigative files came up", id.
 - iii. "in other discussions, it was noted...", id.

- iv. "approach to this broad request", Nov. 6, 2015 email w/ subject line "FW: 2015-06-07 FOIA request for all OIG reports" (on CCIGNet)
- v. "we ended up just doing a fee estimate of thousands of dollars", Nov. 6, 2015 email w/ subject line "RE: 2015-06-07 FOIA request for all OIG reports"
- vi. "if your OIG has delegated FOIA processing authority, would you please send me the cite to your agency's regulation that such authority?", Nov. 9, 2015 email w/ subject line "IG delegated authority for FOIA processing" (on CCIGNet)

3. For every CCIG or CIGIE conference call, FOIA working group, or similar event during 2015:

- a. any recording, notes, follow-up, or memorialization
- b. any agenda, presentation materials, pre-meeting emails, or other preparation / awareness material

4. All emails to or from any OIG, CCIG, or CIGIE email, from 2013 to present, that discuss any FOIA requester personally, including anything about their character, personal website, blog / twitter / etc postings, motivations, or the like....

B. all records relating to the fulfillment of this request, such as FOIA logs, documentation of searches, referral emails, etc....

C. all records relating to any complaint(s), FOIA request(s)/appeal(s), and/or Privacy Act request(s)/appeal(s) made by me. This includes, but is not limited to:

- 1. all records relating to the processing my previous requests, complaints, etc;
- 2. all records containing the terms my name, email address(es), and other contact or identifying information, listed below my signature; and
- 3. all records containing any of my complaint, request or appeal identifiers....

D.

- 1. all parts of the record (i.e. no portion of a record with some responsive portion may be considered "non-responsive");
- 2. all versions of the record, whether or not currently in use;
- 3. all record metadata, such as dates on which they were drafted, passed, went into effect, withdrawn, or similar events; person(s) / office(s) responsible; authors; IDs; revision numbers; etc.;
- 4. a detailed index of all claims of exemption/privilege, regardless of whether the record is claimed to be exempt in whole or in part; access to inspect the record directly, in its native electronic format; and
- 5. if any classification applies, mandatory declassification review (MDR) under E.O. 13526, and the result of the MDR, including any declassified records."

In response to your request, the enclosed emails are released in their entirety. They pertain primarily to the internal processing of your 2015 request, and include communications originating from NASA OIG to or from another OIG that requested assistance on a similar request. To the extent there are emails that pertain to other OIGs not connected with NASA OIG, or are communications originating from another CCIG or CIGIE member, you may hear

separately from the originating office at that agency. We are not required to compile a detailed *Vaughn* index of claims of exemption or privilege at this stage of the FOIA process. To the extent you are seeking records of other FOIA requestors, we are invoking exemption (b)(6) to protect the personal privacy of other individuals. You may also assume that no records exist as to the balance of your request after conduct of a reasonable search for such records.

You may contact our FOIA Public Liaison, Francis P. LaRocca at 202-358-2575 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

You also have the right to appeal this initial determination to the Deputy Inspector General. Pursuant to 14 CFR §1206.700(b), the appeal must (1) be in writing; (2) be addressed to the following:

NASA, Office of Inspector General
Headquarters
300 E Street, SW, Suite 8V39
Washington, D.C. 20546-0001
Attn: George A. Scott, Deputy Inspector General;

(3) be identified clearly on the envelope and in the letter as "Freedom of Information Act Appeal"; (4) include a copy of the request for the Agency record and a copy of the adverse initial determination; (5) to the extent possible, state the reasons why the requester believes the adverse initial determination should be reversed; and (6) must be postmarked and sent to the Deputy Inspector General within 90 calendar days of the date of receipt of the initial determination.

Sincerely,



Francis P. LaRocca
Counsel to the Inspector General
FOIA Officer and Public Liaison – Legal Records

Enclosures a/s

Larocca, Francis P. (HQ-WLH10)

From: Larocca, Francis P. (HQ-WLH10)
Sent: Monday, June 22, 2015 9:14 AM
To: MARTIN, PAUL K. (HQ-WAH10)
Subject: RE: Recent FOIA request to all OIGs

Sure.

From: MARTIN, PAUL K. (HQ-WAH10)
Sent: Monday, June 22, 2015 9:13 AM
To: Larocca, Francis P. (HQ-WLH10)
Cc: ROBINSON, GAIL A. (HQ-WAH10)
Subject: FW: Recent FOIA request to all OIGs

Frank:

Once we decide how to proceed, can you share with Hubie? Thanks.

Paul

From: Council of Inspectors General [<mailto:CIGIE@LIST.NIH.GOV>] **On Behalf Of** Hubert Sparks
Sent: Monday, June 22, 2015 6:55 AM
To: CIGIE@LIST.NIH.GOV
Subject: Recent FOIA request to all OIGs

Hello: I would appreciate, in connection with the recent request to all OIGs, a copy of the response cover letter that was or will identify the parameters of information to be provided, supporting legal positions and possibly any language pertaining to the fees or requested waiver of fees. Despite a requirement for individual responses, and excluding agencies/OIGs with different FOIA requirements about releasable information, an overall consistent OIG-wide position on basic elements appears, at least to me, reasonable.

Thank you,

Hubert Sparks
ARC IG

Larocca, Francis P. (HQ-WLH10)

From: Larocca, Francis P. (HQ-WLH10)
Sent: Wednesday, July 01, 2015 4:32 PM
To: Juhans, Renee N. (HQ-WAH10)
Subject: FW: Recent FOIA request to all OIGs

Can you give me Hubie Sparks email address? Thanks.

From: MARTIN, PAUL K. (HQ-WAH10)
Sent: Monday, June 22, 2015 9:13 AM
To: Larocca, Francis P. (HQ-WLH10)
Cc: ROBINSON, GAIL A. (HQ-WAH10)
Subject: FW: Recent FOIA request to all OIGs

Frank:

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Sent: Monday, June 22, 2015 6:55 AM
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Subject: Recent FOIA request to all OIGs

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Thank you,

Hubert Sparks
ARC IG

Larocca, Francis P. (HQ-WLH10)

From: Larocca, Francis P. (HQ-WLH10)
Sent: Wednesday, July 01, 2015 4:45 PM
To: Juhans, Renee N. (HQ-WAH10)
Subject: RE: address

Thank you!

From: Juhans, Renee N. (HQ-WAH10)
Sent: Wednesday, July 01, 2015 4:44 PM
To: Larocca, Francis P. (HQ-WLH10)
Subject: address

hsparks@arc.gov -- email

<http://www.arc.gov/oig> --web address

Office of Inspector General

Mission and Authority

The Office of Inspector General (OIG) at the Appalachian Regional Commission was established as an independent entity in 1989. The OIG provides independent and objective audits and investigations relating to agency programs and operations, as set forth in the Inspector General Act of 1978 (Public Law 95-452), as amended.

The OIG provides leadership and coordination; recommends policies to prevent and detect fraud and abuse; and promotes economy, efficiency, and effectiveness in agency programs and operations. The inspector general also provides a means for keeping the ARC federal co-chair and Congress fully informed about problems and deficiencies at the Commission.

In support of these responsibilities, the OIG has statutory authority to subpoena or otherwise obtain all records, files, reports, documents, or materials needed to conduct audits, inspections, and investigations. The inspector general is independent and may not be prevented from carrying out any audit, inspection, or investigation, or issuing any report.

[Hubert Sparks](#), ARC Inspector General

Renee N. Juhans
Executive Officer

NASA Office of Inspector General
(202) 358-1220

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Larocca, Francis P. (HQ-WLH10)

From: Larocca, Francis P. (HQ-WLH10)
Sent: Wednesday, July 01, 2015 4:49 PM
To: 'hsparks@ARC.gov'
Subject: Sai response



Sai FOIA
Response 7-1-20...

Mr. Sparks: IG Paul Martin asked that I share the attached with you.

Frank LaRocca
Counsel to the Inspector General
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
300 E Street, SW, Suite 8W37, Room 8Y22
Washington, DC 20546-0001

Voice: 202-358-2575
FAX: 202-358-3696
Email: flarocca@nasa.gov
Website: <http://oig.nasa.gov>

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NASA OFFICE OF INSPECTOR GENERAL

OFFICE OF COUNSEL
300 E ST SW, SUITE 8Y22
WASHINGTON, D.C. 20546-0001

July 1, 2015

Mr. Sai
foia@saizai.com

SUBJECT: Freedom of Information Act (FOIA) Request
NASA FOIA Number 15-OIG-F-00751
OIG FOIA Number 2015-28

Dear Mr. Sai:

Thank you for your FOIA request dated June 7, 2015 that you submitted to the NASA Office of Inspector General (OIG). It was received by the OIG on June 8, 2015. Your request was assigned NASA FOIA Number 15-OIG-F-00751 and OIG FOIA Number 2015-28. You requested information regarding every report made by the OIG. Because of the length of your request, the full request is enclosed.

We thank you for your attention and interest regarding the OIG's work. Our office is dedicated to conducting objective oversight of NASA programs and operations and independently reporting to the Administrator, Congress, and the public to further the Agency's accomplishment of its mission. We strive to act with professionalism, integrity, and the utmost transparency. To that end, before we can process your request we need additional clarification on your request.

Under NASA's FOIA regulations, 14 C.F.R. § 1206.301, please be advised that your current request is overbroad. The NASA FOIA regulations require requesters to "describe the records sought in sufficient detail to enable Agency personnel who are familiar with the subject area of the request to identify and locate the record with a reasonable amount of effort. To the extent possible, requesters should include specific information that may assist a FOIA office in identifying the requested records, such as the date, title or name, author, recipient, subject matter of the record, case number, file designation, or reference number. In general, requesters should include as much detail as possible about the specific records or the types of records sought." In addition, the regulations do not require the Agency to "comply with a blanket or categorical request (such as "all matters relating to" a general subject) where it is not reasonably feasible to determine what record is sought" or to "create or compile records in response to a FOIA request." Your current request does not describe the requested records with sufficient detail to

allow OIG personnel to locate these records with a reasonable amount of effort. Rather, you are requesting a categorical search relating to all OIG reports without a specific subject. A request this broad would impose an unreasonable burden upon the Agency.

In addition, under 14 C.F.R. § 1206.300, in order to make a proper FOIA request a "requester submitting a request for records must include his/her name and mailing address, a description of the record(s) sought (see §1206.301), and must address fees or provide justification for a fee waiver (see §1206.302) as well as address the fee category in accordance with §1206.507." Your current request did not include a mailing address. This is important if voluminous records need to be produced that cannot be readily scanned.

You also have asserted that you would like to be placed in the media fee category, and you have requested a fee waiver based on a "public interest." Please be advised, based on the NASA FOIA regulations, 14 C.F.R. §§ 1206.507 and 1206.302, you have not provided sufficient information to substantiate these requests. However, we will defer a final determination and allow you to submit additional information to support your request.

Due to the aforementioned clarification issues related to reasonably identifying the specific records you are seeking, providing a home address, and providing sufficient information to make a determination on your fee waiver and media fee category requests, we are unable to process your request. Once you have provide clarification of these items, we will be better equipped to provide you with a fee estimate. Finally, the NASA FOIA regulations also require an advanced payment if estimated fees are expected to exceed \$250 in accordance with 14 C.F.R. §1206.302.

At this time, your request has been placed on hold for 20-work days from the date of this letter until you provide us with the clarification as required under the NASA FOIA regulations, 14 C.F.R. § 1206.301. If we do not hear from you within 20 working days from the date of this letter, we will consider that you are no longer interested in this request, and we will close our file without further notification. You may submit a new request; however, you will still need to provide the information indicated above.

Thank you again for your interest in the mission of the OIG. We would also like to point you to our public website where you can view OIG reports. The reports can be accessed at: <https://oig.nasa.gov>. All of the posted OIG reports can be found from this website and may satisfy much of your request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Francis P. LaRocca".

Francis P. LaRocca
Counsel to the Inspector General

Enclosure

Larocca, Francis P. (HQ-WLH10)

From: Hubert Sparks <hsparks@arc.gov>
Sent: Wednesday, July 01, 2015 5:17 PM
To: Larocca, Francis P. (HQ-WLH10)
Subject: RE: Sai response

Frank: Thanks much.
Hubert

From: Larocca, Francis P. (HQ-WLH10) [mailto:flarocca@nasa.gov]
Sent: Wednesday, July 01, 2015 4:49 PM
To: Hubert Sparks
Subject: Sai response

Mr. Sparks: IG Paul Martin asked that I share the attached with you.

Frank LaRocca
Counsel to the Inspector General
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
300 E Street, SW, Suite 8W37, Room 8Y22
Washington, DC 20546-0001

Voice: 202-358-2575
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Larocca, Francis P. (HQ-WLH10)

From: Brewer, Monique L (0920-NASA) <Monique.L.Brewer@jpl.nasa.gov>
Sent: Tuesday, August 04, 2015 3:37 PM
To: Larocca, Francis P. (HQ-WLH10)
Subject: RE: SA FOIA Closed

Frank,

Did you mail the requester a letter notifying him that we would be closing his case due to no response from him? If so, please forward the document.

Thanks,

Monique L. Brewer

Program Assistant

NASA | Office of Inspector General
Jet Propulsion Laboratory

From: Larocca, Francis P. (HQ-WLH10) [<mailto:flarocca@nasa.gov>]
Sent: Friday, July 31, 2015 7:52 AM
To: BREWER, MONIQUE L. (HQ-WLC55)
Cc: Baker, Earl E. (HQ-WLC55)
Subject: SA FOIA Closed

I received nothing substantively from Sai, other than an email stating he is busy. I administratively closed his request today. Pls close in FOIAxpress. Thank you.

Frank LaRocca
Counsel to the Inspector General
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
300 E Street, SW, Suite 8W37, Room 8Y22
Washington, DC 20546-0001

Voice: 202-358-2575
FAX: 202-358-3696
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Larocca, Francis P. (HQ-WLH10)

From: Brewer, Monique L (0920-NASA) <Monique.L.Brewer@jpl.nasa.gov>
Sent: Tuesday, August 04, 2015 3:42 PM
To: Larocca, Francis P. (HQ-WLH10)
Subject: RE: SAI RESPONSE

Thanks.

Monique L. Brewer

Program Assistant

NASA | Office of Inspector General
Jet Propulsion Laboratory

From: Larocca, Francis P. (HQ-WLH10) [<mailto:flarocca@nasa.gov>]
Sent: Tuesday, August 04, 2015 12:40 PM
To: BREWER, MONIQUE L. (HQ-WLC55)
Subject: SAI RESPONSE

<< File: Sai FOIA Response 7-1-2015.pdf >>

Frank LaRocca
Counsel to the Inspector General
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
300 E Street, SW, Suite 8W37, Room 8Y22
Washington, DC 20546-0001

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Larocca, Francis P. (HQ-WLH10)

From: Larocca, Francis P. (HQ-WLH10)
Sent: Tuesday, August 04, 2015 3:39 PM
To: 'Brewer, Monique L (0920-NASA)'
Subject: RE: SAI FOIA Closed

It was stated in the original response sent to him. I will send you a copy if you don't have one.

From: Brewer, Monique L (0920-NASA) [mailto:Monique.L.Brewer@jpl.nasa.gov]
Sent: Tuesday, August 04, 2015 3:37 PM
To: Larocca, Francis P. (HQ-WLH10)
Subject: RE: SA FOIA Closed

Frank,

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Monique L. Brewer

Program Assistant

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From: Larocca, Francis P. (HQ-WLH10) [mailto:flarocca@nasa.gov]
Sent: Friday, July 31, 2015 7:52 AM
To: BREWER, MONIQUE L. (HQ-WLC55)
Cc: Baker, Earl E. (HQ-WLC55)
Subject: SA FOIA Closed

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Frank LaRocca
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Larocca, Francis P. (HQ-WLH10)

From: Larocca, Francis P. (HQ-WLH10)
Sent: Tuesday, August 04, 2015 3:40 PM
To: BREWER, MONIQUE L. (HQ-WLC55)
Subject: SAI RESPONSE



Sai FOIA

Response 7-1-20...

Frank LaRocca
Counsel to the Inspector General
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
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